

attached spreadsheet and believe it to be accurate. It shows that all immigration detainees at BCHOC have now been tested except for seven that refused testing. All detainees that have been tested have been found negative, i.e., to not be infected with the COVID-19 virus. This includes the only detainee who had previously tested positive. This person was tested at an outside hospital and was retested two days later at our facility. This second test was negative, as were all the tests of that person's unit mates who agreed to be tested. All of these tests came back negative, which indicates that the one positive test was likely a false positive.

3. I am also aware of a bid for testing of staff received by BCSO. Because CPS is not contractually obligated to provide medical care to BCSO staff, testing would have to be conducted by a third party. The third party that has conducted much of the Department of Corrections testing (which was voluntary, not mandatory) was done by this entity, I am told. The price quoted was \$200 per test; for approximately 600 staff members who may come into contact with detainees, the cost would be at least \$120,000. This would provide information as to the dates of testing only (which could not be feasibly done on a single day) and would not reflect whether a staff member became infected immediately after the test was conducted. I am not aware of any CDC or DPH requirement that asymptomatic individuals be tested. It is my belief that testing of all those who come into contact with someone who has tested positive is both sufficient and cost-effective. Moreover, the fact that there has been no outbreak of the coronavirus among detainees at BCHOC in the last three months is a strong indication that the steps taken to date have been effective.

4. Mandatory testing of staff raises a number of difficult personnel issues for BCSO. These include, but are not limited to, the following:

1. What rights do the employees have, particularly if they are asymptomatic?
2. Would people who are tested be required to isolate at home until the results come back, as current BCHOC policy states?
3. Will those who refuse tests be required to stay out of work, and, if so, who is going to pay them? They cannot be forced to use sick time and BCSO would not pay them under current policies.
4. Is there a plan for retesting (at another \$120,000) in light of the fact that staff goes home every day?
5. How will BCHOC replace staff that are required to stay at home?
6. Who will pay for those additional costs?

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 22nd DAY OF MAY, 2020.

/s/ Judy Borges
Judy Borges